

## **REMARKS**

This is a full and timely response to the Final Office Action mailed April 22, 2009. The Applicants have amended claims 1, 9, and 17, as indicated above, and canceled claims 25 – 31 without waiver, prejudice, or disclaimer. Upon entry of the amendments above, claims 1 – 24 are pending. The Applicants respectfully request that the application and all pending claims be reconsidered and allowed.

### **I. Petition for Extension of Time**

Pursuant to 37 C.F.R. § 1.136(a), the Applicants hereby petition for an extension of time of three months, extending the time for responding to the Final Office Action mailed April 22, 2009 to October 22, 2009. The Applicants submit herewith a Petition for Extension of Time and a credit card payment of \$1110.00 for the large entity statutory fee for the three-month extension of time.

### **II. Advisory Action**

The Advisory Action mailed July 30, 2009 indicates that the claim amendments in the Amendment & Response to the Final Office Action submitted July 22, 2009 were entered, but that the arguments were not persuasive and that the amendments were not deemed to place the present application in better form for appeal by materially reducing or simplifying the issues for appeal. The Final Office Action included rejections based on three statutory provisions: (1) 35 U.S.C. 112, second paragraph; (2) 35 U.S.C. 101; and (3) 35 U.S.C. 103(a). In response to the Final Office Action and the Advisory Action, the Applicants submit this Amendment & Response with the accompanying Request for Continued Examination, which includes claim

amendments to further distinguish the cited references and overcome the rejections under 35 U.S.C. 103. With respect to the rejections under sections 101 and 112, second paragraph, the Applicants respectfully submit that the amendments and/or arguments previously presented are sufficient to overcome these rejections and, therefore, respectfully request acknowledgement of their withdrawal or a clear explanation for maintaining these rejections in view of the amendments and arguments.

### III. Rejections Under 35 U.S.C. 103

The Office Action rejects claims 1 – 4, 6, 9 – 12, 14, 17 – 20, 22, and 25 – 31 under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2002/0123962 to Bryman *et al.* (“Bryman”) in view of Consumer Financial Services Law Report, March 5, 2000 (“Law”). The Office Action rejects the remaining claims (claim 5, 13, and 21) under 35 U.S.C. 103(a) as allegedly being unpatentable over Bryman in view Law and further in view of the Official Notice statements. The rejection of claims 25 – 31 is rendered moot because of the cancellation of these claims.

The Applicants have amended independent claims 1, 9, and 17, as indicated above, to clarify certain aspects of the claimed method, computer, and system, respectively, and to further distinguish the cited references. Independent claims 1, 9, and 17, as amended, each recite the feature of requiring that the customer make a plurality of payments before a card associated with the credit recovery account is issued to the customer. The cited art does not teach this feature, either alone or in combination. For at least this reason, the rejection of independent claims 1, 9, 17 should be withdrawn and the claims allowed. The rejection of the dependent claims should also be withdrawn and the claims allowed for at least the reason that these claims include all of

the elements of the corresponding base claim. Accordingly the Applicants respectfully request that the rejection of claims 1 – 24 be withdrawn and the claims allowed.

### **CONCLUSION**

For at least the reasons set forth above, the Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims 1 – 24 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are requested. If in the opinion of the Examiner a telephonic conference would expedite examination of this application, the Examiner is invited to call the undersigned attorney at 813-382-9345.

Respectfully submitted,

/Adam E. Crall/

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### **CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence, including any items indicated as attached or included, is being electronically submitted to the United States Patent & Trademark Office via the Electronic Filing System on the date indicated below.

Date: October 22, 2009

/Adam E. Crall/

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Signature